

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ALLISON ULLO, *individually and on  
behalf of others similarly situated,*

Plaintiff,

vs.

ABY ROSEN, GREGG POPKIN, PATRICK  
HALL, DANE ASERMELY, SEBASTIAN  
LEFAVRE, RFR HOLDING LLC, GPH  
PARTNERS LLC, GPH MANAGEMENT  
LLC, and GP SERVICES LLC,

Defendants.

No. 18 Civ. 11281 (PAE)

**DEFENDANTS' NOTICE OF MOTION TO DISMISS THE COMPLAINT  
OR STRIKE CERTAIN CLASS ALLEGATIONS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law; the Complaint; and all other pleadings and proceedings in this action, Defendants Aby Rosen, Gregg Popkin, Patrick Hall, Dane Asermely, Sebastian Lefavre, RFR Holding LLC, GPH Partners LLC, GPH Management LLC, and GP Services LLC ("Defendants"), by and through their undersigned counsel, will move this Court, before the Honorable Paul A. Engelmayer, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, at a time and date to be determined by the Court, for an Order dismissing the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), or striking certain class allegations pursuant to Federal Rule of Civil Procedure 12(f), as set forth in the accompanying Memorandum of Law, and any other and further relief as the Court deems just and proper.

Dated this 5th day of April, 2019.

Respectfully submitted,

By: /s/ Matthew L. Schwartz  
Matthew L. Schwartz  
Byron Pacheco  
Kate A. Ferguson  
BOIES SCHILLER FLEXNER LLP  
55 Hudson Yards  
New York, New York 10001  
Telephone: (212) 446-2300  
Email: mschwartz@bsfllp.com  
bpacheco@bsfllp.com  
kferguson@bsfllp.com

*Counsel for All Defendants*